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REMARKS

The comments of the applicant below are each preceded by related comments of the examiner, shown in small, bold type.

Claims 1, 2, 6, and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Conti (USPN 4,326,605) in view of Heller (USPN 3,565,213).

Re: claim 1, Conti discloses an automatic wire lubricating device, comprising...

e) an cylindrical nipple (20) formed by one of said axially displaced ends of said assembled body sections of said first and second components for attaching a bushing (19) thereon to keep from scaring the wire or to facilitate the attachment of a rubber grommet (19).

Conti does not show the nipple is externally threaded.

Heller shows external threads (13).

To modify the apparatus of Conti so as to provide external threads would have been obvious to one of ordinary skill in the art at the time the invention was made in view of the teachings of Morton [sic, Heller] that such an arrangement improves the ease at which the device is assembled.

The applicant respectfully disagrees.

Conti's retainer 20 did not anticipate and would not have made obvious a "cylindrical nipple ... for attaching a bushing." Conti's retainer (20) is neither cylindrical (it is apparently toroidal) nor threaded.

Heller may show external threads, as the examiner contends, but contrary to the examiner's position, to modify the apparatus of Conti so as to provide external threads would not have been obvious. First, a person of ordinary skill would not have understood how, if at all, it would have been possible to form threads on the toroidal surface of Conti's retainer. Even if it were possible, a person of ordinary skill would not have understood any reason for doing so. Conti's retainer is held captive by the geometry of a channel 21 (Conti's figure 3). Threading the outside of the retainer, even if that were possible, would serve no function. Doing so would not have made it easier to install or remove the retainer and would not have made the retainer more secure in the channel. In fact, such threads would serve no function.

Claim 1 and the claims that depend on it are patentable.

10. Claims 8-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Conti (USPN 4,326,605) in view of Oetiker (USPN 4,693,502).

Re: claim 8, Conti discloses all of the instantly claimed invention, except, tubular elements formed on opposite ends of said body sections of said first and second components which fit together so as to make a tight seal of said interior reservoir when said first and second components are fastened together.

Oetiker shows a tubular element (14), Fig. 8, formed on an opposite ends of body sections which fit together so as to make a tight seal.

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the apparatus of Conti to include tubular elements for the purpose of improving the sealing properties of the lubrication device.

Re: claim 9, Conti discloses an internally threaded cylindrical clamping flange (24) formed by the other of the axially displaced ends of said assembled body sections of said first and second components for attaching about a threaded end of an externally threaded conduit for through which the wires are to be pulled (see column 4, lines 22-25).

Without conceding the examiner's position, claim 8 has been amended to include the feature of claim 9, which has been cancelled. The applicant disagrees with the examiner's contention that Conti shows an internally threaded flange that is (in the words of amended claim 9) "... for attaching about a threaded end of an externally threaded conduit through which the wires are to be pulled."

To the contrary, Conti's fitting 24 is--as the passage from Conti cited by the examiner makes clear--"coupled to a conduit extending to a suitable pressurized supply of lubricant." That conduit is thus clearly not the one through which the cable is pulled in Conti's device.

Re: claim 14, Conti discloses all of the instantly claimed invention except coupler pins formed on opposite ends of said body sections of the first and second components having O-rings around them and which fit together so as to make a tight seal of the interior reservoir when said first and second components are fastened together.

Oetiker shows a coupler pin (14), Fig. 8, formed on an opposite end of a body section (2) having an O-ring (15) around it and which fit together so as to make a tight seal. It would

have been obvious to one of ordinary skill in the art at the time of the invention to modify the apparatus of Conti to include an O-ring for the purpose of improvement of the seal.

Claim 14 is patentable for at least some of the same reasons as claim 1 and claim 8.

Cancelled claims, if any, have been cancelled without prejudice or disclaimer.

Any circumstance that the applicant has (a) addressed certain comments of the examiner does not mean that the applicant concedes other comments of the examiner, (b) made arguments for the patentability of some claims does not mean that there are not other good reasons for patentability of those claims and other claims, or (c) amended a claim does not mean that the applicant concedes any of the examiner's positions with respect to that claim or other claims.

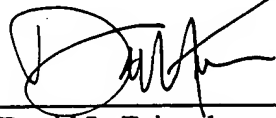
Applicant requests that the examiner consider the prior art cited in an Information Disclosure Statement filed May 26, 2004, and return an initialed copy of Form 1449.

Please apply any charges or credits to deposit account 06-1050, reference 16076-002002.

Respectfully submitted,

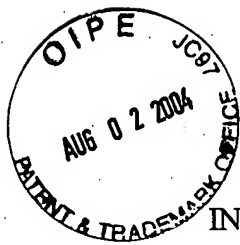
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David L. Feigenbaum
Reg. No. 30,378

Fish & Richardson P.C.
225 Franklin Street
Boston, MA 02110-2804
Telephone: (617) 542-5070
Facsimile: (617) 542-8906



Attorney's Docket No.: 16076-002002

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Timothy L. Coder et al.
Serial No. : N/A
Filed : November 19, 2003
Title : Automatic Wire Lubricating Device

Art Unit : Unknown
Examiner : Unknown

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PRELIMINARY AMENDMENT

Prior to examination, please amend the application as indicated on the following 8 pages.

CERTIFICATE OF MAILING BY EXPRESS MAIL

Express Mail Label No. EV330504671US

November 19, 2003
Date of Deposit

Applicant : Coder et al.
Serial No. : N/A
Filed : N/A
Page : 2 of 9

Attorney's Docket No.: 16076-002002

In the Specification:

Please replace the paragraph beginning at page 1, line 1, with the following amended paragraph:

This application is a continuation (and claims the benefit of priority under 35 USC 120) of U.S. application serial no. 09/991,418, filed November 15, 2001 and provisional application serial no. 60/249,413, filed November 16, 2000. The disclosures of the prior applications are considered part of (and are incorporated by reference in) the disclosure of this application. This patent application claims the benefit of U.S. provisional application No. 60/249,413, filed November 16, 2000.

In the claims:

1-14. (Canceled)

15. (New) Apparatus comprising
a lubricator to apply lubricant to a strand as it is pulled through a conduit, the lubricator
including a coupling feature to mate with a corresponding coupling feature of a bushing.

16. (New) The apparatus of claim 15 in which the strand comprises an insulated electrical
wire or the like.

17. (New) The apparatus of claim 15 in which the coupling feature of the lubricator
comprises threads.

18. (New) The apparatus of claim 15 in which the threads comprise external threads.

19. (New) The apparatus of claim 15 in which the lubricator also includes a second coupling
feature configured to mate with a corresponding coupling feature of the conduit.

20. (New) The apparatus of claim 19 in which the second coupling feature of the lubricator
comprises threads.

21. (New) The apparatus of claim 19 in which the threads comprise internal threads.

22. (New) The apparatus of claim 15 in which a body of the lubricator is formed of two
connectable components.

23. (New) Apparatus comprising

a lubricator to apply lubricant to a strand as it is pulled through a conduit, the lubricator including

an external thread to mate with a corresponding internal thread of a bushing, and
an internal thread to mate with a corresponding external thread of the conduit.

24. (New) Apparatus comprising

a lubricator to apply lubricant to a strand as it is pulled through a conduit, the lubricator comprising two body sections that can be connected to one another to form the lubricator, each of the body sections comprising a sleeve, the sleeves of the two body sections being aligned when the two body sections are connected to form the body, and a pin that slides into the sleeves to hold the body sections together.

25. (New) The apparatus of claim 24 in which the lubricator includes an axis that is aligned along the length of the strand and the pin includes an axis that is parallel to the lubricator axis.

26. (New) The apparatus of claim 24 in which each body comprises a second sleeve, the second sleeves of the two body sections are aligned when the two body sections are connected to form the body, and a second pin slides into the second sleeves to also hold the body sections together.

27. (New) The apparatus of claim 26 in which the lubricator includes an axis that is aligned along the length of the strand and the second pin includes an axis that is parallel to the lubricator axis.

28. (New) The apparatus of claim 24 in which the strand comprises an insulated electrical wire or the like.

29. (New) Apparatus comprising

lubricators, each of the lubricators to lubricate a strand as it is pulled through a conduit, the lubricators being sized respectively for use with conduit of different sizes.

30. (New) The apparatus of claim 29 in which each of the lubricators includes a coupling feature to mate with a coupling feature of the conduit.

31. (New) The apparatus of claim 30 in which the coupling feature comprises an internal thread.

32. (New) The apparatus of claim 29 also including a coupling feature to mate with a coupling feature of a bushing.

33. (New) The apparatus of claim 32 in which the coupling feature comprises an external thread.

34. (New) Apparatus comprising
a lubricator to apply lubricant to a strand as it is pulled through a conduit, the lubricator including threads to mate with corresponding threads of the conduit.

35. (New) The apparatus of claim 34 in which the strand comprises an insulated electrical wire or the like.

36. (New) An automatic wire lubricating device, comprising:

(a) two body sections each having opposite ends and respective end faces on said opposite ends, each of said body sections defining a portion of an interior reservoir formed by said body sections when assembled together at said end faces;

(b) a fastener to releasably fasten said body sections together at said end faces to form an annular body having a longitudinal central axis, said fastener including

(i) sleeves attached at said opposite ends of each of said body sections and aligned axially with one another in pairs along opposite side axes which extend substantially parallel to said longitudinal central axis and lie substantially in a common plane formed by said end faces when said body sections are assembled into said annular body, and

(ii) a pair of pins inserted through one of said pairs of aligned sleeves along said one of said opposite side axes for releasably securing said assembled body sections together;

(c) passages to provide flow communication from said interior reservoir to said central opening when said body sections are fastened together; and

(d) threads formed by said assembled body sections at one of said axially displaced ends to attach a member to facilitate application of lubricant on wire being pulled through said nipple and said central opening of said annular body.

37. (New) An automatic wire lubricating device, comprising:

(a) two body sections each having opposite ends and respective end faces on said opposite ends, each of said body sections defining a portion of an interior reservoir formed by said body sections when assembled together at said end faces;

(b) a fastener to releasably fasten said body sections together at said end faces to form an annular body having a longitudinal central axis, said fastener including

(i) sleeves attached at said opposite ends of each of said body sections in offset relation to one another and extending substantially equidistantly in opposite directions in relation to said interior reservoir, said sleeves at a respective one of said opposite ends of said body sections being aligned axially with one another in pairs along opposite side axes which extend substantially parallel to said longitudinal central axis and lie substantially in a common plane formed by said end faces when said body sections are assembled together into said annular body, and

(ii) a pair of pins each inserted through one of said pairs of aligned sleeves along said one of said opposite side axes for releasably securing said assembled body sections together;

(c) passages to provide flow communication from said interior reservoir to said central opening when said body sections are fastened together; and

(d) a seal located at said end faces and at opposite ends of halves of said interior reservoir to make a tight seal of and provide communication between said halves of said interior reservoir when said first and second components are fastened together.

38. (New) An automatic wire lubricating device, comprising:

(a) two body sections each having opposite ends and respective end faces on said opposite ends, each of said body sections defining a portion of an interior reservoir formed by said body sections when assembled together at said end faces;

(b) a fastener to releasably fasten said body sections together at said end faces to form an annular body having a longitudinal central axis, said fastener including

(i) sleeves attached at said opposite ends of each of said body sections in offset relation to one another and extending substantially equidistantly in opposite direction relative to said continuous cylindrical interior reservoir and partially projecting beyond said flat end faces of said body sections such that said sleeves at a respective one of said opposite ends of said body sections are aligned axially with another in pairs along opposite side axes which extend substantially parallel to said longitudinal central axis of said annular body and lie substantially in a common plane formed by said flat end faces when said body sections of said first and second components are assembled together into said annular body, and

(ii) a pair of pins each inserted through and withdrawable from one of said pairs of axially aligned hollow sleeves along one of said opposite side axes for releasably securing said assembled body sections together into said annular body and for taking apart from one another said assembled body sections of said annular body, said pins being inserted in the same one direction along said respective parallel side axes through said pairs of aligned hollow sleeves for releasably securing said assembled body sections together into said annular body and correspondingly said pins being withdrawable in a same other direction being the reverse of said

same one direction along said respective parallel side axes from said pairs of aligned hollow sleeves for taking said body sections apart from one another;

(c) circumferentially spaced dispensing holes defined through interior walls portions of said body sections which provide flow communication between said interior reservoir and said central opening;

(d) threads formed by said assembled body sections at one of said axially displaced ends to attach a member to facilitate application of lubricant on wire being pulled through said nipple and said central opening of said annular body;

(e) threads formed by the other of the axially displaced ends of said annular body to attach to a threaded end of a conduit through which the wire is to be pulled; and

(g) hollow coupler pins attached on said flat end faces and having O-rings disposed around said hollow coupler pins so as to make a tight seal of said interior reservoir at said flat end faces of said body sections when said first and second components are fastened together.

Applicant : Coder et al.
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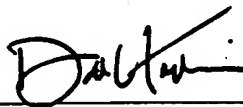
REMARKS

Please apply any other charges or credits to deposit account 06-1050, reference 16076-002002.

Respectfully submitted,

Date: _____

11/19/3



David L. Feigenbaum
Reg. No. 30,378

Fish & Richardson P.C.
225 Franklin Street
Boston, MA 02110-2804
Telephone: (617) 542-5070
Facsimile: (617) 542-8906